

# FINAL ENVIRONMENTAL IMPACT STATEMENT

## The Arboretum at Farmingville

Horseblock Road  
Farmingville, New York

### PREPARED FOR

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**July 2015**

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**FINAL ENVIRONMENTAL IMPACT STATEMENT**

**THE ARBORETUM DEVELOPMENT  
HAMLET OF FARMINGVILLE, TOWN OF BROOKHAVEN  
SUFFOLK COUNTY, NEW YORK**

**PROJECT LOCATION:** 65.24± acres situated south of Horseblock Road and north of the Long Island Expressway, in the hamlet of Farmingville, Town of Brookhaven, Suffolk County, New York.

**SUFFOLK COUNTY**

**TAX MAP NUMBERS:** Section 200-626-3-39.5, and 40, and 200-653-7-1

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**DATE OF PREPARATION:** July 2015

**AVAILABILITY OF  
DOCUMENT:**

This document, together with the Draft Environmental Impact Statement (DEIS), is the Final Environmental Impact Statement (FEIS). It has been prepared for the Lead Agency. Copies are available for public review and comment at the offices of the Lead Agency. This FEIS is also available electronically at the following address: <http://www.brookhaven.org/Departments/Planning-and-Environment/Environmental-Protection>

**DATE OF FILING:** \_\_\_\_\_



This document is a Final Environmental Impact Statement (FEIS) for The Arboretum at Farmingville. This FEIS incorporates, by reference, the Draft Environmental Impact Statement (DEIS) for this proposed action, dated February 2015. The above-referenced DEIS was the subject of a Town of Brookhaven Town Board Public Hearing on May 7, 2015, and written comments on the DEIS were accepted until May 18, 2015. The Written Correspondence and Public Hearing Transcript are provided in Appendices A and B of this FEIS, respectively.



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# 1.0

## Introduction

This document is a Final Environmental Impact Statement (FEIS) prepared in response to comments received by the lead agency, the Town of Brookhaven Town Board (hereinafter the “Town Board”), on the Draft Environmental Impact Statement (DEIS) for the proposed action, dated February 2015. The proposed action consists of a request for a change of zone and site plan approval, which, upon implementation, would culminate in the development of The Arboretum at Farmingville (hereinafter “The Arboretum”), a mixed-use residential community and commercial development, to be situated on 65.24± acres located on the south side of Horseblock Road, east of Woodbury Road and west of Hanrahan Avenue, Farmingville, Town of Brookhaven, Suffolk County (see Figure 1).

As presented in the DEIS, the proposed project consists of an application for a change of zone of the subject property from A Residence 1 and J Business 4 zoning districts of the Town of Brookhaven to Multifamily Residential District (MF) (Secondary Zone) and J Business 2, and site plan approval to permit the redevelopment of the 65.24±-acre property as a mixed-use residential community and commercial development.

The proposed development consists of the construction of the following:

- 292 residential units (i.e., 51 single-family residences, 164 two-bedroom flats, 63 Townhouse [triplex] units, and 14 three-bedroom “Rosebud” units) of which 30 units would be workforce housing units, as explained below
- one two-story 24,000±-square-foot (SF) commercial building (containing 12,000± SF of restaurant space and 12,000± SF of office space)
- a 7,500±-SF recreational clubhouse for residents of The Arboretum
- a 7,728±-SF on-site sewage treatment plant (STP), and associated leaching fields, with 150,000± gallon per day (gpd) capacity (as the proposed development is expected to generate 89,370 gpd of sewage effluent, there would be excess capacity of 60,630 gpd)



**The Arboretum at Farmingville**  
 Hamlet of Farmingville, Town of Brookhaven  
 Suffolk County, New York

**Site Location Map**

**Figure 1**

 Subject Property (Boundaries are approximate)

0 500 1,000  
 Feet



- 466 paved parking spaces situated in multiple parking fields throughout the subject property (200 parking spaces would be for the proposed commercial uses [plus an additional six loading spaces], 216 paved surface parking spaces for the proposed two-bedrooms flats and 50 parking spaces would be for the proposed clubhouse), 112 landbanked parking spaces and 256 parking spaces for the remaining residential uses within double-driveways and garages
- 1.66± acres of private recreational open space, and an additional 1.38± acres of private recreational facilities
- comprehensive landscaping and exterior lighting
- 7.28±-acre publicly accessible recreational open space area.

The aforesaid DEIS was accepted by the Town Board as complete and adequate for public review on March 26, 2015, and circulated to all the involved agencies and interested parties, and a public hearing was held on May 7, 2015. The DEIS comment period was held open until May 18, 2015.

In accordance with 6 NYCRR § 617.9(b)(8):

*A final EIS must consist of: the draft EIS, including any revisions or supplements to it; copies or a summary of the substantive comments received and their source (whether or not the comments were received in the context of a hearing); and the lead agency's responses to all substantive comments. The draft EIS may be directly incorporated into the final EIS or may be incorporated by reference. The lead agency is responsible for the adequacy and accuracy of the final EIS, regardless of who prepares it. All revisions and supplements to the draft EIS must be specifically indicated and identified as such in the final EIS.*

All written correspondence is included in Appendix A, and the Public Hearing Transcript is included in Appendix B of this FEIS.

Each written correspondence commentator was assigned a number beginning with "C." Then, each comment from each commentator was assigned a number (e.g., C1-1 for comment 1 by commentator 1). All the written comments are provided in their entirety within Appendix A. All comments made at the public hearing that occurred on May 7, 2015 were assigned a code that begins with "H." Each commentator at the public hearing was assigned a code (e.g., H1). Then, each comment from each commentator was assigned a number (e.g., H1-1 for comment 1 by commentator 1). The hearing transcript with comment designations is included in Appendix B of this FEIS. The following table identifies each commentator and their associated comments as well as their code.



## Written Correspondence

Commentator	Code	Comments
Suffolk County Sewer Agency	C1	C1-1
Jason Reznak, Division of Traffic Safety and Raymond DiBiase, P.E., PTOE, L.K. McLean Associates	C2	C2-1 through C2-8
Jason Reznak, Division of Traffic Safety and Raymond DiBiase, P.E., PTOE, L.K. McLean Associates	C3	C3-1
Suffolk County Department of Public Works	C4	C4-1 through C4-5
Donna Papandrea	C5	C5-1
Peter Papandrea	C6	C6-1
The Barone Family	C7	C7-1
Donald & Lisa Winter	C8	C8-1 through C8-15
Connie and Phil Sciacca	C9	C9-1
Jill Martin	C10	C10-1 through C10-3
Anna Palin-Aqueron	C11	C11-1
Steven & Lisa Shankman	C12	C12-1 through C12-2
Maria Sobral	C13	C13-1 through C13-5
The Ramirez Family	C14	C14-1 through C14-2
James Fernandez	C15	C15-1
Diane Fernandez	C16	C16-1
Krystle Moran	C17	C17-1
David Conroy	C18	C18-1
Megan Tarano	C19	C19-1



Kerry Harris	C20	C20-1through C20-2
Marisa Pizza	C21	C21-1
Michael, Lynn, Jennifer and Katelyn Kmiotek	C22	C22-1 through C22-9
Town of Brookhaven	C23	C23-1 through C23-4

### **Public Hearing**

Michael Wentz	H1	H1-1
Kevin Koster	H2	H2-1 through H2-3
Louis Balafas	H3	H3-1
Peter Ferringer	H4	H4-1 through H4-6
Donald Winter	H5	H5-1 through H5-7
James Stratford	H6	H6-1 through H6-2
John Lynch	H7	H7-1 through H7-4
Donna Mettlik	H8	H8-1 through H8-6
Steven Dixon	H9	H9-1 through H9-5

This FEIS includes two sections -- Section 1.0, of which this is a part, is the introduction to the document, which describes the purpose of the FEIS as well as what is included in the document.

Section 2.0 summarizes the supportive comments and includes a response to all substantive comments made at the public hearing and in the written correspondence received during the public comment period. The comments and their responses have been organized by topic in Section 2.0. The topics include: Transportation, Safety, and Access (TSA); Sewage Treatment Plant (STP); Setbacks and Lot Size (SLS); Commercial Development (CD); and General (G). The written and hearing comments have been further paraphrased by topic. The respective codes above (i.e. TSA-1), are followed by each summarized comment and its respective commentator code(s) for reference (i.e., C1-1).



# 2.0

## Response to Substantive Comments

This section contains a summary of the supportive comments (no response required) and responses to all the substantive comments contained in the written correspondence (including electronic mail) as well as those made at the public hearing.

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### 2.1 Supportive Comments

I am completely in favor of this Arboretum project for many reasons. I know very much well that the economic environment in most towns, especially Farmingville is hurting. We do not have a downtown. We do not have an area where people can commonly shop. This particular property here will provide commercial space located on Horseblock Road. It will also provide additional residential, which are potential customers for my chamber members, in addition to other businesses in Farmingville. I absolutely enjoy that it is a 100 percent purchase properties. There are no rentals, and therefore it is pride of ownership, especially with a proposed homeowners association that will help keep up the grounds and the appearance. I also appreciate that there's a percentage of it that people that are my age or younger are able to stay here on Long island because they're able to afford to purchase those particular plots...renovate the 164-year-old schoolhouse that is located across the street on county property. The historical society plans to open that up not only for the Sachem school district, but also surrounding school districts. So then we no longer have to bus people who are from Medford, from Middle Country out to the Old Bethpage Restoration. (H1-1)

I'm all in favor of it. I'm in full support of the building. (H3-1)

I'm speaking in favor of the proposed change in zoning. In 2010, Farmingville had a visioning project. Now, this project had the cooperation not only of the Residents Association, but a wide band of people from across the entire hamlet. Mike Kelly was in on this from the get-go. He participated with the members of the visioning in a spirit that he wanted to make sure that the residents were – their concerns



were taken into consideration as he drew up his plans for the project. A year and a half ago, Mr. Kelly took us, the Association, six members, to his project at River Walk in Patchogue to give us a tour of the structures, the condo units, high end to low end, to give us a state of what we could reasonably expect in Farmingville. And we were all very impressed with the design, the layout and the quality of construction of the units at the River Walk. We expect something similar here in Farmingville. The arboretum project plans, while not finalized appear to conform to the spirit of the visioning, and at this time have the support of the Farmingville Residents Association with the understanding that the concerns of the abutting homeowners will be taken into consideration. But for these reasons we, the directors of the Farmingville Residents Association are in favor of the project. And we would suggest that the Council approve the change in zone. (H6-1)

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## 2.2 Transportation, Safety and Access

Comment TSA-1:

While the 12,000 SF of restaurant space is retained, three higher turnover restaurants could significantly change the trip generation for the project. This apparent contradiction needs to be resolved. (C2-1)

Response TSA-1:

As discussed in Section 3.1.1.4 of the DEIS, the 2010 *Farmingville Community Redevelopment Plan* (hereinafter "*Farmingville Plan*") recommends development which will "attract new business in which the community has expressed interest, including restaurants, a live-music café, a bookstore, and a clothing store." Therefore, as part of the proposed project, a 24,000± SF commercial building would be constructed in the northwestern portion of the subject property. For the purposes of the analysis presented in the DEIS, it was assumed that the proposed commercial space would be occupied by various restaurant uses, specifically family style restaurants. Therefore, the Traffic Impact and Parking Analysis, contained in Appendix G of the DEIS, analyzed the restaurant space using the Quality Restaurant (i.e., family style restaurant) land use category, as opposed to three smaller High Turnover restaurants.

Comment TSA-2:

Safety evaluation of historical accident data on CR 16 at the site. Accident rates for the study link and intersections should be developed and then compared with the available statewide averages for similar roadways and intersections. If the Study location exceeds the statewide average then mitigation is considered, with associated recommendations. The received Traffic Impact Study included a summary of accident data, absent any evaluation. (C2-2; C2-3)

Response TSA-2:

In order to calculate accurate accident rates of the type described above, significant amounts of more detailed traffic volume data would need to be collected than what was required under the approved Final



Scope for the DEIS or would be required for a typical Traffic Impact Study. In addition, the statewide average accident rates are calculated using volume and accident data collected across the entire state and do not reflect traffic or volume conditions in Suffolk County. Regardless, the Applicant and its professionals have researched other available, more applicable data, and have conducted an analysis of the same, as provided below.

The Suffolk County Department of Public Works (SCDPW) was contacted to determine if any statistical data related to accident rates were available for the study area. The SCDPW provided the Annual County Road Accident Rates Report for 2010 and the Annual Mean Accident Rates Report by Functional Class for 2010 (the latest data available, see Appendix C of this FEIS). A review of the data showed that the segment of CR 16 from Waverly Avenue to Blue Point Road had the lowest number of accidents per million vehicle miles when compared to the other segments analyzed along CR 16 in the area for which data were provided. The SCDPW calculated accident rate for the study segment (Waverly Avenue to Blue Point Road) is 3.26 accidents per million vehicle miles. When compared to the Suffolk County mean average of 8.75 accidents per million vehicle miles for similar facilities, the 3.26 rate for the study segment is substantially lower than the mean average. This comparison suggests that there are no significant traffic safety issues within the study segment.

Based on a more detailed review of the accident data summarized previously in the DEIS, there do not appear to be any accident patterns or trends at the intersection of Waverly Avenue and Horseblock Road. The majority of the accidents that occurred (60 percent) were rear-end accidents and they were well distributed amongst the four approaches to the intersection. Additionally, the remaining six accidents that occurred at this intersection were of various types and they also occurred over each of the four approaches. Based on this evaluation, there are no patterns or trends that would suggest mitigation is required.

A more in-depth review of the following intersections was also undertaken:

- Horseblock Road at the U.S. Post Office (USPS)
- Horseblock Road at Hanrahan Avenue
- Horseblock Road at Lidge Drive
- Horseblock Road at Raymond Avenue
- Horseblock Road at Pommer Avenue

Based on VHB's review, each of these intersections experienced three or fewer reported accidents over the most recent three-year period. The review also indicates that one type of accident never occurred more than once, which suggests there is no discernable pattern indicative of a safety problem that would require mitigation.

A review of the accidents that occurred at the intersection of Horseblock Road and Blue Point Road indicate that there were a total of 26 reportable accidents that occurred over the most-recent three-year period. There were eight left-turn accidents (30.8 percent), six right-angle accidents (23.1 percent), five overtaking accidents (19.2 percent), four rear-end accidents (15.4 percent) and one right-turn accident (3.8 percent). While the number of left-turn accidents and right angle accidents are the highest, a closer look reveals that the accidents were well distributed amongst the different approaches to the intersection and



all of the accidents had contributing factors such as driver inattention/distraction, failure to yield to the right of way, traffic control disregarded, unsafe lane changing and unsafe speed. Factors such as these are due to driver error and are not related to a traffic safety issue.

In addition, a review of the non-intersection accidents on each roadway segment between Waverly Avenue and Blue Point Road was also performed. The accidents that occurred on those roadway segments are outlined in the Accident Summary Table found in Appendix C of this FEIS. As can be seen in the table, there were only three non-intersection accidents that occurred within the study area and all three occurred on the segment of roadway between Waverly Avenue and the USPS driveway. Each of those three accidents had contributing factors such as failure to yield to the right-of-way, following too closely, and turning improperly. These contributing factors are associated with driver error and not related to traffic safety issues that should be addressed with mitigation.

Based on the detailed review and analysis of the most recent three years of accident data, it does not appear that there are any accident patterns that would be exacerbated as a result of the proposed project. In addition, the Applicant is proposing to install a traffic signal at the proposed site access on Horseblock Road, which will allow vehicles to more safely enter and exit the site.

Comment TSA-3:

We requested an analysis for this project with only one access (on CR 16) to serve the entire development (eliminating the Henry Street access). This should be done. In addition, an analysis for a scenario which does not permit any access to CR 16 should be provided. (C2-3)

Response TSA-3:

The Final Scope for the DEIS issued by the Town of Brookhaven indicated that main access to the site shall be provided from Horseblock Road and a secondary access be provided at the westerly terminus of Henry Street (an existing access point) on the east side of the site. Therefore, the intersection analyses were based on that scenario.

If the access on Henry Street were to be closed, the traffic associated with the development that would have otherwise used Henry Street, would be redistributed to the main access on Horseblock Road. Supplemental signalized intersection analyses were conducted for this scenario during all analysis periods, which resulted in less than a one second increase in overall intersection delay at Horseblock Road and Hanrahan Avenue (see Appendix C of the FEIS). Additionally, the levels of service for the individual movements and approaches remained the same. Therefore, the signalized main access would not be negatively impacted if the secondary access on Henry Street were to be closed, and the main access would continue to operate at acceptable levels of service during all analysis periods. However, both the Town of Brookhaven and the SCDPW requested that cross access be provided to the adjacent neighborhoods in order to better distribute traffic through the surrounding area.

Moreover, if the access on Henry Street was closed, vehicles would still utilize Hanrahan Avenue similar to the way the traffic study projected (see Appendix G of the DEIS). Under this scenario, vehicles would exit the site and head eastbound and then make a right hand turn onto Hanrahan Avenue and then



proceed in a southbound direction. However, under the same scenario, the section of Hanrahan between Horseblock Road and Henry Street would receive additional southbound traffic, which is avoided by providing access via Henry Street. As forecasted in the DEIS, during the weekday a.m. peak hour, approximately 20 vehicles (combined northbound and southbound) generated by the site would use Hanrahan Avenue for an average of one trip every three minutes. Similarly, during the weekday p.m. peak hour, approximately 33 vehicles (combined northbound and southbound) generated by the site would use Hanrahan Avenue for an average of just over one trip every two minutes. During the Saturday midday peak hour, approximately 35 vehicles (combined northbound and southbound) generated by the site would use Hanrahan Avenue for an average of just over one trip every two minutes. This level of potential additional traffic is very low and will not change the nature or character of the roadway and will not have any significant effect on capacity.

If the main access were to be closed on Horseblock Road and all traffic distributed through the adjacent neighborhood to the east via Henry Street, it would significantly increase the traffic volumes within that neighborhood, especially along Hanrahan Avenue. This scenario, during the Saturday midday peak period, would result in as many as 346 vehicles being distributed through the adjacent neighborhood. Based on the analyses conducted, the traffic associated with this development would have less of an impact on the surrounding area if the main access to the site were located on Horseblock Road. Horseblock Road is a four-lane highway and was designed with the intention of serving larger traffic volumes than the local roads within the adjacent residential neighborhood.

Comment TSA-4:

At which phase would the proposed signal to be installed? The Applicant will be required to maintain the signal until the project is totally complete. Since the Town has ultimate responsibility for maintaining the signal, a traffic signal must also be submitted to the Town for approval. Why is the light not on Horseblock Road and the entrance/egress just staying on Horseblock so there's no worry about the side streets? (C2-5; C8-14; C11-1; C14-1; H8-3)

Response TSA-4:

The timing for the installation of the traffic signal will be determined by the SCDPW. At this time, it is anticipated that the traffic signal will be installed upon completion of the final construction phase of the project, since prior to this phase, the traffic volumes necessary to warrant the signal will not have been met.

The Applicant would maintain the signal during construction. Upon completion of the final phase of the proposed project, the maintenance of the traffic signal would become the responsibility of the Town of Brookhaven. Moreover, the Applicant is aware of the responsibility to maintain the traffic signal until the project is completed.

The traffic signal for the main entrance to the site is proposed along Horseblock Road. Having a traffic signal and access along Horseblock Road will result in fewer motorists using the access along Henry Street and, therefore, less traffic would be distributed to the residential side streets. Both the Town of



Brookhaven and the SCDPW requested that cross access be provided to the adjacent neighborhoods in order to better distribute traffic through the surrounding area.

Comment TSA-5:

Consideration should be given to providing a bus shelter along the CR 16 frontage. (C2-6)

Response TSA-5:

During the site plan approval process, the Applicant will consult with Suffolk County Transit regarding adding a bus shelter along CR 16 in the vicinity of the proposed development.

Comment TSA-6:

The TIS should be resubmitted, addressing the previous comments and concerns, as well as, those of the County and should be bound with sequentially numbered pages. (C2-7; C3-1)

Response TSA-7:

The comment is noted. A full traffic impact study entitled Traffic Impact and Parking Analysis, dated February 6, 2015, based upon the Final Scope promulgated by the Town Board, was prepared and included in Appendix G of the DEIS, which was distributed to all involved agencies and posted on the Town's website. All comments on that traffic impact study are addressed herein (see Responses to Comments TSA-1 through TSA-23 and Appendix C).

Comment TSA-8:

A permit from this Department [Suffolk County Department of Public Works] will be required pursuant to Section 136 of the Highway Law for the proposed access and any improvements this Department deems necessary along the County right-of-way. (C4-1)

Response TSA-8:

Upon approval of the change of zone, if granted by the Town Board, and initiation of the site plan approval process, an application will be submitted for the required permit.

Comment TSA-9:

Before a permit is issued by this Department for these improvements, documentation pursuant to Section 239F of the New York State General Municipal Law must be forwarded to us from the Town Building Department for our review and comments. (C4-2)



Response TSA-9:

Upon approval of the change of zone, if granted by the Town Board, and initiation of the site plan approval process, an application will be submitted for the required permit.

Comment TSA-10:

A complete traffic impact study will be required. (C4-4)

Response TSA-10:

A Traffic Impact and Parking Analysis, dated February 6, 2015, was included in Appendix G of the DEIS. The Town of Brookhaven forwarded a copy of the aforementioned document to the SCDPW, as an involved agency in the SEQRA process that the Town Board is conducting. All comments received regarding the review of the Traffic Impact and Parking Analysis are addressed in this FEIS (see Responses to Comments TSA-1 through TSA-23 and Appendix C).

Comment TSA-11:

Given the appearance of master planning in the configuration of the adjacent communities, cross access to existing roadways should be utilized. (C4-5)

Response TSA-11:

Based upon communication with the Town and SCDPW, cross access is proposed to the adjacent neighborhoods in order to better distribute traffic through the surrounding area. A secondary access on Henry Street (an existing open road) has been proposed that will provide access to the residential community to the east of the site. Additionally, as recommended by the Town, an emergency vehicle access with a locked crash gate and keyed access has been proposed at the westerly terminus of Alamo Drive. As indicated by both the Town and the County, the provision of a second access point at Henry Street will help to better distribute the traffic through the site and the immediate area. Further, the provision of a cross access to the adjacent community to the east has the added benefit of allowing residents of the area access to a traffic signal on CR 16. This will allow those residents who wish to travel west on CR 16 to turn left onto that roadway under the protection of the traffic signal.

Comment TSA-12:

Concern regarding the use of Henry Street as an access to Hanrahan Avenue for this housing project. The additional traffic caused due to 300 to 600 vehicles owned by the new residents of the housing development will change the neighborhood forever. They will be driving up and down Hanrahan Avenue, to and from the L.I.E. if the town allows access. And if they all leave just once and return just once in a day, that's 1,200 transits in and out of the neighborhood. And since there are only two entrances or egresses from that development, where are they going to go? Our street, a residential street is already used as a cut through for the service road and people who do not drive with care around our children as it is, adding these extra cars would seriously increase the danger to our children. (C5-1; C6-1; C7-1; C8-



14; C9-1; C10-1; C12-2; C13-1; ; C13-3; C14-1; C15-1; C16-1; C17-1; C18-1; C19-2; C20-1; C22-1; C22-2; C22-3; C22-4; C22-5; H2-1; H7-1)

Response TSA-12:

As indicated in Response TSA-11, the Town identified a secondary access on Henry Street and a locked crash gate with keyed access on Alamo Drive. The Applicant has agreed to provide a covenant which would ensure that the emergency access provided would remain an emergency-only access in perpetuity. Additionally, in its letter dated May 28, 2014, the SCDPW further recommended that cross access to the adjacent existing roadways be provided. While this recommendation may slightly increase traffic on the residential roadways to the east, such secondary access would better distribute traffic through the study area and would reduce impacts overall within the study area. As detailed in the DEIS, the vast majority of traffic to and from the site will use CR 16 and not Hanrahan Avenue. In all likelihood, even if the access on Henry Street were removed, motorists would still utilize Hanrahan Avenue as a means to access the Long Island Expressway. The levels of traffic forecast for Hanrahan Avenue as a result of the project are low (around one trip every two minutes even during the highest peak hour) and will not change the character or nature of the roadway (see Response TSA-3). Implementation of the cross access on Henry Street would limit the number of motorists using the section of Hanrahan Avenue north of Henry Street. The Applicant is willing to discuss with the Town the modification of the cross access location to a location further south on Hanrahan Avenue (which would further reduce traffic on the northerly section of Hanrahan Avenue). However, as noted above and in Response TSA-3 the levels of traffic increase would not have a significant impact on Hanrahan Avenue no matter where the cross access were located.

However, based on the trip distribution outlined in the Traffic Impact and Parking Analysis (see Appendix G of the DEIS), 90 percent of the site traffic would utilize the primary signalized site access along Horseblock Road and are not expected to use Hanrahan Avenue. According to the site generated trip projections, outlined in the aforementioned analysis, during the peak periods, there would be an average of just over one trip every two minutes distributed to Hanrahan Avenue as a result of the proposed action. During non-peak times, there would be significantly less traffic distributed to Hanrahan Avenue.

Comment TSA-13:

The expert that evening stated that it would be only 1 car every minute if 40% of the people used that road during rush hour. That exit on Henry Street should be a "CRASH GATE" only. I proposed that the access be limited to Horseblock Road, with both Henry Street and Alamo Street being used solely as emergency routes. It is not equitable to ask the residents to the east of the new development to take on all of the extra burden of the traffic. Either it should be equally shared or it should be limited to only Horseblock Road. (C11-1; C8-14)



Response TSA-13:

As noted in Response TSA-12, based on the site generated trip projections outlined in the Traffic Impact and Parking Analysis (see Appendix G of the DEIS), during peak periods, there would be an average of just over one trip every two minutes distributed to Hanrahan Avenue as a result of the proposed action. The existing roadway system was designed to accommodate traffic volumes of this magnitude, and, as demonstrated by the analysis, it will be more than adequate to accommodate the additional traffic generated as a result of the proposed project and the level of additional traffic will not change the nature or character of the roadway. See Responses TSA – 3. Additionally, there are stop signs and speed limit signs posted throughout the adjacent residential area, which will assist in calming traffic as it disperses through the neighborhood.

Comment TSA-14:

I would also propose that a traffic light be considered on Hanrahan and Horseblock Road, especially with the additional traffic that will be coming from the west. (C8-14; C11-1)

Response TSA-14:

Based on a review of turning movement count data collected at the intersection of Hanrahan Avenue and Horseblock Road that is contained in Appendix C of this FEIS, the applicable vehicle volume warrants, Warrants 1, 2 and 3, outlined in the Manual of Uniform Traffic Control Devices (MUTCD) for the installation of a traffic signal would not be met. In order for Warrant 1, the Eight Hour Vehicle Volume Warrant, to be met, the northbound traffic exiting Hanrahan Avenue must exceed 53 vehicles per hour for each of any eight hours of the day. Based on a review of the weekday a.m., p.m. and Saturday midday turning movement count data, which were collected during peak traffic generating times, there are many hours when these volumes are not exceeded. Therefore, it is highly unlikely that this warrant would be met if additional data were collected.

Warrant 2 is the Four-Hour Vehicle Volume Warrant and in order for it to be met the northbound exiting traffic on Hanrahan Avenue must exceed 60 vehicles per hour for any four hours on an average day. Based on a review of the weekday a.m., p.m. and Saturday midday turning movement count data collected, this threshold was not exceeded. Since the data were collected during the times when traffic volumes would be expected to be highest, it is highly unlikely that this warrant would be met if additional data were collected.

Warrant 3 is the Peak Hour Warrant and in order for it to be met the northbound exiting traffic on Hanrahan Avenue must exceed 75 vehicles per hour for any hour on an average day. Based on a review of the turning movement data collected at the intersection of Hanrahan Avenue at Horseblock Road during the weekday a.m., p.m. and Saturday midday peak periods, the applicable vehicle volume of 75 vehicles per hour is never exceeded. Therefore the installation of a traffic signal would not be warranted based on the criteria outlined in this warrant.



Comment TSA-15:

Henry and Hanrahan as an access road is not wide enough for two-way traffic safety. The street is narrow and especially since there are cars parked in the street the road is even narrower for two-way traffic. (C10-3; C12-2; C13-3; C13-4; C15-1; C16-1; C17-1; C18-1; C19-2; C20-1; C22-1; C22-2; C22-3; C22-4; C22-5; H7-1; H7-2)

Response TSA-15:

The Henry Street right-of-way is 50 feet wide and the paved roadway width varies from approximately 26 to 30 feet. The residential roadways surrounding the site, including Hanrahan Avenue also have a 50-foot right-of-way width and vary in paved width from approximately 24 feet to 35 feet. All surrounding roadways on the east side of the site permit on-street parking and accommodate two-way traffic. Therefore, the width of Henry Street is consistent with the width of the other surrounding residential roadways, including Hanrahan Avenue, and it will be adequate to accommodate two-way traffic.

Comment TSA-16:

Hanrahan is already a very active residential road with only 4 stop signs, no sidewalks, and 46 bus stops on the block. (C12-2; C13-3; C14-1; C18-1; C19-2; C20-1; C22-2; C22-3; C22-4; C22-5; H7-1; C15-1; C16-1; C17-1; C22-1)

Response TSA-16:

The comment is noted. The 24-hour vehicle volume data collected along Hanrahan Avenue, see Appendix C of the FEIS, are typical of collector-distributor roadways., Hanrahan Avenue collects the traffic from the surrounding minor residential roadways and distributes it to the more major arterial roadways at its southerly and northerly ends. Therefore, the volumes on Hanrahan Avenue would be expected to be higher than other minor feeder roadways within the residential neighborhood. The existing stop signs in place along Hanrahan Avenue help to control speed and act as a traffic calming measure for the vehicles traveling along this roadway.

As part of the traffic study performed for the DEIS, 24-hour traffic counts were taken on Hanrahan Avenue south of Henry Street. A summary of these counts is included in Appendix C to this FEIS. Review of these traffic counts indicates a relatively low level of southbound traffic in this area during the weekday a.m. peak commuting period when evidence of cut-through use would be apparent. The southbound volume during weekday a.m. peak commuting times never exceeded 31 vehicles per hour during the week the counts were taken. If Hanrahan Avenue was being used to a significant degree as a cut-through route from CR 16 to the LIE North Service Road, these volumes would be significantly higher. It is noted that additional traffic that may join southbound volumes on Hanrahan Avenue further south than originate in the same neighborhood do not represent cut-through traffic as they originate in the neighborhood.



The proposed development will generate taxes that will provide funds for roadway improvements (traffic calming, sidewalks, etc.) or maintenance elsewhere while the internal roadways will be private and be maintained at no expense to the town.

The low levels of traffic anticipated from the proposed development on Hanrahan Avenue will not result in a change in the roadway's nature or character. See Response TSA-3.

Comment TSA-17:

"Crash Gate" on Alamo Drive. It would be much less dangerous for the drivers of emergency response teams, residence & their children if they move the "CRASH GATE" to Second Street, rather than zig-zag through the neighborhood to get to Alamo Drive. We would also need a guarantee that this "CRASH GATE" will stay just that a "CRASH GATE" and will never be opened as an ingress or egress road in the future. (C8-7; H5-6; H8-2; H9-3; H9-5)

Response TSA-17:

The proposed emergency access is located south of the main interior roadway in the core of the proposed development, to provide alternative emergency access in case access through the main drive is blocked. The Applicant has agreed to provide a covenant which would ensure that any emergency access provided would remain an emergency-only access in perpetuity.

Comment TSA-18:

The developer had previously petitioned another neighborhood off Woodbury Avenue to build an emergency access road, and those residents opposed and those plans were cancelled. We are looking for the same consideration for the safety and quality of life for the residents on Hanrahan Avenue. (C20-2)

Response TSA-18:

The comment is noted. The Applicant will comply with the requirements of the Town of Brookhaven with respect to the secondary access. It should be noted, however, that an active driveway connection currently exists from the subject site to the Henry Street. Also, see Responses TSA-9, TSA-12 and TSA-17.

Comment TSA-19:

Propose moving the access road from Henry to Frances, so fewer residents would be impacted? (C21-1)



Response TSA-19:

As discussed in Response TSA-13, the low level of traffic anticipated to be added to Hanrahan Avenue by the project will not change the nature of character of the roadway and will not cause any impacts related to capacity. Even at the highest of the peak periods, the level of additional vehicles is projected to be approximately one trip every two minutes. This level of traffic will not have a significant impact regardless of where the proposed cross access is located. Furthermore, the westerly terminus of Henry Street contains an active access to the property that is currently used by worker vehicles and trucks that access the site from this location.

Comment TSA-20:

Was an on-site traffic impact study done, or did the builder's traffic expert, who was sworn to before the Board, rely on Google Earth? (C22-6)

Response TSA-20:

A Traffic Impact and Parking Analysis dated February 6, 2015 was included in Appendix G of the DEIS for the project. This comprehensive analysis was performed in accordance with recommended guidelines and procedures that are acceptable in the traffic engineering industry and to the Town of Brookhaven and the SCDPW. The Traffic Impact and Parking Analysis was also conducted in conformance with the Final Scope issued by the Town.

Comment TSA-21:

Project design should allow for future cross access to properties adjacent to Horseblock Road. (C23-1)

Response TSA-21:

Currently, a secondary access on Henry Street is proposed on the east side of the project site, which will provide access to Hanrahan Avenue. Additional cross access to the USPS is proposed; however such access is subject to the review and approval of that agency (see Response G-1 for additional information regarding the USPS access). An emergency vehicle access with a locked crash gate and keyed access has also been proposed along Alamo Drive, on the west side of the project site.

In regard to potential cross access to the property adjacent and to the west, along Horseblock Road, the Applicant has indicated no objection to the same, provided it is feasible from an engineering perspective.

Comment TSA-22:

I'm not against developing, but at what cost? Is my block going to become unsafe? What do I got to do to protect my family from the cars coming up and down the road already? (H7-4)



Response TSA-22:

Based on the site generated trip projections outlined in the Traffic Impact and Parking Analysis (see Appendix G of the DEIS), there would be an average of just over one trip every two minutes distributed through the adjacent residential roadway network as a result of the project. This low level of additional traffic will not change the nature or character of the roadway and, as demonstrated by the Traffic Impact and Parking Analysis, it will be more than adequate to accommodate the additional traffic generated as a result of this project. Based upon a site visit and review of the existing conditions, there are stop signs and speed limit signs posted throughout the adjacent residential area that will assist in calming traffic as it disperses through the neighborhood.

Also, see Response TSA-3.

Comment TSA-23:

There have been many, many serious accidents at the corner of Hanrahan Avenue and Horseblock Road, and nobody's ever done anything about that. They're supposedly building a daycare center of some sort on the corner of Hanrahan Avenue and Horseblock Road. Big pieces of property, the Sachem soccer field...which runs all the way down on the service road of the Expressway. On any given Saturday or Sunday, there's no parking there. Very, very unsafe space. Now we're opening up a community where we'll have hundreds of transits a day coming down Hanrahan and again having to pass all those children. So I'm not necessarily against development. The residents of Hanrahan Avenue can't be expected to suffer because they want to put a gated community on a piece of property right next to us. (H2-3; H9-2; H9-4)

Response TSA-23:

The proposed Arboretum development is not a gated community; it is a mixed used development, with the commercial development oriented to Horseblock Road and the residential development oriented toward the neighboring residential communities.

Based on a review of the three most recent years of accident data available for the intersection of Hanrahan Avenue at Horseblock Road, there was only one accident that occurred at that intersection within that period (see Response TSA-2). It was an overtaking accident, which resulted in property damage only. One accident is not evidence of a pattern, and accident occurrences of that magnitude are not indicative of traffic safety issues at the intersection. These accident data are summarized in Section 3.4.1.5 of the DEIS and the complete accident information is included in Appendix G of the DEIS. Additional accident data are included Response TSA-2 and in Appendix C of this FEIS.

The Town of Brookhaven was contacted to identify any other planned developments in the vicinity of the proposed development that should be included in the No-Build and Build condition analyses of the Traffic Impact and Parking Analysis. The Town planning staff advised that there were three other planned developments that should be incorporated into the Traffic Study. As indicated in Section 3.4.2.1 of the DEIS, below are the three projects identified by the Town planning staff:



- Holmesview Commons – Located on 20.44 acres of the northeast quadrant of the signalized intersection of North Ocean Avenue (CR 83) and CR 16. This proposed development would consist of a 118,500-SF shopping center that is estimated to generate 112 trips (Entering 69, Exiting 43) during the a.m. peak hour, 431 trips (Entering 203, Exiting 228) during the p.m. peak hour and 559 trips (Entering 285, Exiting 274) during the Saturday midday peak hour.
- Expressway Plaza – Located on the southwest quadrant of the signalized intersection of North Ocean Avenue (CR 83) and CR 16, this proposed development would consist of a 6,500-SF restaurant and a 45,000-SF fitness facility that is estimated to generate 64 trips (Entering 33, Exiting 31) during the a.m. peak hour, 223 trips (Entering 128, Exiting 95) during the p.m. peak hour and 216 trips (Entering 104, Exiting 112) during the Saturday midday peak hour.
- Bristol Assisted Living – Located on the north side of the Long Island Expressway North Service Road (LIE-NSR) about 400 feet west of the signalized intersection of LIE-NSR and North Ocean Avenue (CR 83). This proposed development would consist of a 146-bed Assisted Living Facility and is estimated to generate 20 trips (Entering 13, Exiting 7) during the a.m. peak hour, 32 trips (Entering 14, Exiting 18) during the p.m. peak hour and 48 trips (Entering 22, Exiting 26) during the Saturday midday peak hour.

As can be seen above, Town planning staff did not identify the proposed daycare facility at the intersection of Hanrahan Avenue and Horseblock Road for inclusion in the Traffic Impact and Parking Analysis. However, while the proposed daycare facility represents a change in use at this location from the previous office use, it will not result in an increase in trips in the area that could potentially impact traffic conditions, and therefore, was not included.

As previously explained, based on the site generated trip projections outlined in the Traffic Impact and Parking Analysis and summarized in Section 3.4 of the DEIS, there would be just over 1 trip every two minute distributed along Hanrahan Avenue during the weekday a.m., p.m. and Saturday midday peak hours analyzed. Furthermore, based on the trip generation projections and anticipated traffic distribution pattern, the project would generate less than one additional vehicle per minute (in either direction) on Waverly Avenue proximate to the Waverly Avenue School. Waverly Avenue in the vicinity of the school is appropriately signed as a school zone with a reduced school speed limit (20 miles per hour) during school hours. A traffic signal with a marked pedestrian crossing is provided at the major access to the school south of the building as well as at Division Street to the north. Sidewalks are provided along both sides of Waverly Avenue near the school and pedestrian warning signs are present.

The increase in traffic volumes along both of the above roadways is low, and the existing roadway system will be adequate to accommodate the additional traffic generated as a result of implementation of the proposed action. As previously noted, there are stop signs and speed limit signs posted along Hanrahan Avenue and Waverly Avenue that will assist in calming traffic as it disperses through the neighborhood. Additionally, proximate to the Waverly Avenue School there are sidewalks along Waverly Avenue, 20 mile per hour school speed zones in both directions and, at the signalized school entrance, there are marked crosswalks, pedestrian crossing signs and pedestrian push buttons. The development of the site therefore is not expected to negatively impact the school zone.



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## 2.3 Sewage Treatment Plant

Comment STP-1:

The construction of said STP requires the approval of the Suffolk County Sewer Agency which would include Agency review and inspection of the STP and appurtenances. (C1-1)

Response STP-1:

Prior to construction of the STP, all required reviews, inspections, permits and approvals would be sought and obtained, which includes review, inspection and approval from Suffolk County Sewer Agency.

Comment STP-2:

I have a concern about the sewer plant; odors in a residential area. There's been a farm there. We know what it's like to smell horses once in a while. I don't want to be smelling sewage on a regular basis on a 90-degree day. (C8-6; H5-5; H8-5)

Response STP-2:

As stated by the Town at the May 7, 2015 Public Hearing, the proposed STP would provide excess capacity that will assist the Town in implementing the Brookhaven *1996 Comprehensive Land Use Plan* and allow for unique uses along Portion Road, which would otherwise be excluded due to sanitary flow and density restrictions. The STP would also enable proposed large family style restaurants along Horseblock Road, which would otherwise not be built without a STP. As further elaborated by the Town at the hearing, the proposed STP, built to blend in with the rest of the development. Based on information provided by the STP engineer, Michael P. Chiarelli Engineer, P.C., when an STP is properly operated, it does not generate an offensive odor. It is only when an STP falls out of proper upkeep that it may begin to generate offensive odors. Odor control facilities are generally installed as "insurance policies" to ensure that if an odor is generated it will not impact on-or-off site residences.

Moreover, as long as the STP meets the required setback distances, as set forth within the Town of Brookhaven Town Code, which is 150 feet from the property line, the code does not require odor control facilities. The proposed STP meets the required setback distances under the Town Code; therefore, no odor control facilities are required.

Nevertheless, even though not required due to the size of the facility and the proposed setbacks, as explained above, the Applicant is proposing to install odor control facilities consisting of an ultraviolet (UV) light system that would be placed into the ductwork of the ceiling in the STP to ensure that there will be no odor impacts from the proposed STP.



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## 2.4 Setbacks and Lot Size

Comment SLS-1:

MF Setbacks (50 feet plus a 25 foot buffer) should be shown on all future conceptual plan submissions. Buffer zones consisted of soil berms, PVC fencing, and tree plantings. Existing residences have a 25 foot rear yard. Further clarify the definition of setback. (C8-1; C8-2; C23-2; H4-5; H5-2; H6-2; H7-2; H9-2)

Response SLS-1:

Although the written comment provided by the Town indicates that a setback of “50 feet plus a 25 foot buffer” is required, it appears that the word “plus” was inadvertently used where the applicable Code does not state the same. Section 85-244 of the Town Code, only requires a setback of 50 feet, and 85-843 (B. 1) requires only a minimum perimeter buffer of 25 feet adjacent to any residential use or zone. Consistent with plain language of the Code and the rules of statutory construction these two sections have always been interpreted as requiring a 25-foot buffer within the 50-foot setback. The Applicant intends to comply with this requirement by providing additional plantings along the perimeter of the proposed development to comply with 25-foot buffer requirement within the 50-foot setback. Where practicable the Applicant will provide additional buffer zones from the proposed development consisting of soil berms, PVC fencing, and/or tree plantings. In addition, as the Applicant stated at the May 7, 2015 Public Hearing, where marketable the Applicant would be willing to alter the setbacks of the single-family homes proposed along the perimeter of the development to make the front yards shorter and rear yards larger in order to provide a greater rear yard setback from the existing residential homes in the area.

With respect to setback definitions, a front yard setback is defined in the Town Code under §85-1 as:

*“An open, unoccupied space on the same lot with a building or structure, extending the full width of the lot and situated between the street line and the front line of the building or structure projected to the side lines of the lot. The depth of the front yard shall be measured between the front line of the building or structure and the street line.”*

A rear yard setback is defined as:

*“An open, unoccupied space on the same lot with a building or structure, extending the full width of the lot and situated between the rear line of the lot and the rear line of the main building or structure projected to the side lines of the lot. The depth of the rear yard shall be measured between the rear line of the lot and the rear line of the main building or structure.”*

As explained at the hearing by Joe Sanzano of the Town of Brookhaven Department of Planning, Environment, and Land Management, the subject site and the surrounding areas are all currently zoned primarily A-1 Residential, which requires a setback of 60 feet. The proposed MF zone requires a setback of 50 feet, which includes a 25-foot landscape buffer adjacent to any residential use or zone. Therefore,



there is a 10-foot difference between the existing and proposed setbacks (zoning). Moreover, as Mr. Sanzano explained, the existing community was not developed as a traditional A-1 zone; it was probably built as a B or B-1 yield, which is a half-acre (west of the subject property) to quarter-acre density (east of the subject property). Mr. Dixon, a resident of the neighborhood who commented at the Public Hearing, refers to the current rear yard setbacks as being 25 feet from the back of the house.

The plans contained in Appendix C of the DEIS were developed based upon these definitions and the existing surrounding community. Moreover, as stated in Section 3.1.2.2 the DEIS, the proposed development was designed to comply with all dimensional requirements of the MF-Secondary Zone.

As noted above, the provided setbacks (front, side, and rear) are in conformance with the proposed zoning district. The Applicant is not requesting any setback or buffer variances from the MF code.

As indicated in the comment, all future conceptual plans will note the required setbacks.

Comment SLS-3:

We were told the building lots of the new single family homes are going to be  $\frac{1}{2}$  or  $\frac{1}{4}$  acre lots. We are opposed to having  $\frac{1}{4}$  acre lots on this site. They should all be a minimum of  $\frac{1}{2}$  acre. (C8-3)

Response SLS-3:

According to §85-273.C, "there shall be no minimum lot area requirement for units or lots created internally within the MF Residence District." The Applicant has coordinated with the Town's Planning Department regarding the proposed lot sizes within the development.

Historically, according to the Town Planning Department, the surrounding community was built out in accordance with the minimum lots of the B or a B-1 zoning district, which yields half-acre or quarter-acre density (see Figure 2). Therefore, in order to blend with the surrounding community character, the proposed single-family homes on the project site were designed to act as a transition between the single family homes located adjacent to the property and the multi-family homes that are located centrally within the proposed development.



**The Arboretum at Farmingville**  
 Hamlet of Farmingville, Town of Brookhaven  
 Suffolk County, New York

Aerial

**Figure 2**

 Subject Property (Boundaries are Approximate)

0 150 300 600 Feet



Comment SLS-4:

We need some type of guarantee that if the zoning is changed to Multi-Family that the perimeter construction will stay single family homes only & that the Multi-Family housing will be only in the middle of the project as visually shown on the drawing & rendering. Will the development be constructed properly? (C8-8; H4-1; H5-1)

Response SLS-4:

The conceptual site plan that has been presented as part of the proposed action has been coordinated closely with the Town of Brookhaven Planning Department, and the single family homes shown along the perimeter of the site would be developed as shown in order to maintain the character of the surrounding residential neighborhood. The Applicant agrees to provide a covenant that single-family homes remain along the perimeter of the development.

The proposed development will be constructed in accordance with all applicable and prevailing State, County, and local regulations, including the Uniform Fire Prevention and Building Code of New York State.

Comment SLS-5:

We were told when we purchased our homes that there was a PSEG easement that runs along the rear of the properties on Woodbury Road. Was that land easement purchased by Mr. Kelly's organization? Is it being incorporated into the residential single family parcels? Is the promised 25 foot buffer zone after this easement? Is it going to be 50 feet from that end of that PSE&G easement? (C8-4; H5-4)

Response SLS-6:

As described in Section 1.7.1 of the DEIS, the southern portion of the property is bordered by transmission towers associated with the 60-foot Long Island Power Authority (LIPA) right-of-way (ROW). Therefore, this easement is not part of the subject property. The STP is proposed to be located in the southern portion of the subject property; it is setback 150 feet from the property line. A vegetated buffer, in addition to the existing LIPA ROW, would screen views of the proposed STP from the aforementioned uses further south, and additional landscaping treatments on-site would screen views of the STP from the residential uses within the subject property.

Comment SLS-7:

J4 Business years ago was only allowed to build one two-story office building. (H8-1)



Response SLS-7:

The existing J Business 4 (J4) zoning district is a professional and business office district. The Applicant is requesting a change of zone from J Business 4 to J Business 2 (J2). As demonstrated in the Section 3.1.1.2 of the DEIS and shown on the conceptual plan, the proposed commercial development conforms to the requirements of the J2 zoning district. Furthermore, the J2 zoning district also allows for office use to be built.

Comment SLS-8:

This change to quarter acres, and going from single-family to multifamily housing, I have no idea did we go from, like the gentleman said, 600 people in the neighborhood to 1,500 people in the neighborhood? (H9-1)

Response SLS-8:

See Response SLS -3 with respect to lot size. As stated In Section 1.7.12 of the DEIS, implementation of the proposed action, which includes the development of both single-family and multi-family homes, is projected to generate a residential population of 677± persons.

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## 2.5 Commercial Development

Comment CD-1:

Do we really need more restaurants, retail or office space on Horseblock/Portion Rd? Across the street & down Horseblock Road in both directions there are numerous vacancies. We already have Applebees and TGIF a mile away on N. Ocean, there are several Asian and Portuguese restaurants in Farmingville. (C8-13; C22-7; H8-6)

Response CD-1:

As stated in Section 3.1.1.4 of the DEIS, the 2010 *Farmingville Plan*, sets a goal of attracting new businesses to the community. More specifically, the *Farmingville Plan* states “the community has expressed interest, including restaurants, a live-music café, a bookstore, and a clothing store.” Therefore, since the proposed project involves the development of a 24,000± SF commercial building that is meant to attract new businesses to the area, it is consistent with this goal. Moreover, the proposed project would include the construction of an on-site STP, which would support the excess flow and capacity the proposed commercial development would produce, furthering the goals of the Brookhaven 1996 *Comprehensive Land Use Plan*, which states the need for unique uses and large family style restaurants in the project area.



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## 2.6 General

Comment G-1:

Is the Post Office in concurrence with this proposal? Provide any correspondence received to date from the Farmingville Fire District and the US Postal Service. (C2-4; C23-3)

Response G-1:

The Applicant has coordinated with the local Postmaster who directed the Applicant to the Regional Postmaster. The Applicant has also contacted the local congressman to effectuate the redesign of the access to the USPS site. There is continuing dialogue between the Applicant and the USPS to coordinate access relocation. No formal written correspondence has been received to date.

In the event that cross access to the USPS cannot be obtained by the Applicant, the proposed signalized site access on Horseblock Road would be shifted approximately 75 feet to the west of its current proposed location (see Appendix F of this FEIS). By shifting the access to the west, it would allow adequate separation between the existing USPS ingress and the proposed signalized site access. This location would still provide for adequate storage of left turning vehicles into the site and would not interfere with vehicles entering or exiting the USPS site.

As can be seen on the Alternative Site Plan found in Appendix F of the FEIS, there is no reduction in off-street parking for the commercial uses and the slight relocation of the proposed building towards the northwest corner of the property does not violate any of the required setbacks as per Town Code requirements. The signalized site access would also operate at the same levels of service in the Build Condition as previously analyzed in the Traffic Impact and Parking Analysis found in Appendix G of the DEIS. Based on a review of the Alternative Site Plan, there would be no significant adverse impact on the surrounding community or area roadways as a result of the potential relocation of the signalized site access.

The Farmingville Fire Department provided a written response which was received on May 10, 2015 (see Appendix E of this FEIS). The response states that the Farmingville Fire Department has approximately 120 personal on call and approximately 50 to 60 active personal. The response letter also states there are two stations which serve the District located at 780 Horseblock Road and 1080 Portion Road. In 2013, the Fire Department stated it responded to 515 fire calls and 1,245 emergency medical calls. In 2014, the fire department responded to 575 fire calls and 1,380 emergency medical calls. The Farmingville Fire Department currently has two ambulances with volunteer personal employed by the District. The Department transports patients to Stony Brook University Medical Center, Brookhaven Hospital, John T. Mather Hospital, and St. Charles Hospital. The response states that due to the increased number of residences from the proposed development, there will be a need for an additional ambulance to ease the increased number of emergency medical service (EMS) calls which may result from the proposed development. However, it should be noted that based upon the property tax analysis provided in



Section 3.12.2.3 of the DEIS, the proposed development would contribute \$235,250± annually to the Farmingville Fire District.

Comment G-2:

An impact fee will be required. (C4-3)

Response G-2:

The Applicant will comply with all required fees.

Comment G-3:

What's going to be done about the rodent problem? Anytime you unearth anything, or dig anything up, or excavate anything there's rodents. Who's going to be responsible for that? And what guarantee or what can they tell us that we're not going to be bothered by this? Contact Suffolk County Vector Control to determine if mitigation will be needed for rodent and other pest control during construction. Please provide any resulting correspondence. (C8-5; C23-4; H4-3; H5-2; H5-3; H7-3)

Response G-3:

As explained by the Applicant's environmental consultant, Terri Elkowitz at the Public Hearing held on May 7, 2015, and as described in the DEIS (Sections 3.1.1.1 and 3.1.2.1 respectively), the existing site is currently used for import and export of soil with heavy equipment already disturbing and limiting the potential rodent habitat. Furthermore, approximately 45 acres or 60 percent of the site would be vegetated upon completion of the proposed development providing future habitats and places for wildlife.

Prior to construction of the proposed project, Suffolk County Vector Control would be contacted and any necessary permits and approvals would be sought and acquired. Correspondence will be provided upon receipt. Moreover, at the discretion of the County, any maintenance or mitigation measures necessary and associated with construction of the proposed project, including rodent/pest control, will be addressed by the Applicant. The Applicant intends to employ the necessary perimeter rodent control measures (i.e. perimeter rodent traps and exterminator control) so the surrounding community would not be impacted as a result of construction. Such mitigation measures and maintenance will be resolved prior to construction, as stated earlier.

Comment G-4:

We also need to know the income requirement to purchase the working family/affordable housing portion of this project. (C8-9)



Response G-4:

As stated in Section 2.3 of the DEIS, *Project Description*, pursuant to §85-281 of the Town of Brookhaven Town Code, a minimum of 10 percent (rounded up) of all residential units built under the MF are required to be maintained as affordable or workforce housing. It is the intent of the Applicant to designate 15 of the two-bedroom flat units as workforce housing units and an additional 15 of the two-bedroom flat units as affordable housing units (18.3± percent of the total two-bedroom flat units, 10.3± percent of all proposed residential units). As defined by the Town Code, workforce housing is “housing for individuals and families at or below 120 [percent] of the median income for the Nassau-Suffolk primary metropolitan statistical area as defined by the Federal Department of Housing and Urban Development” and affordable housing is “housing for individuals and families at or below 80 [percent] of the median income for the Nassau-Suffolk primary metropolitan statistical area as defined by the Federal Department of Housing and Urban Development.” Based on data provided by the United States Department of Housing and Urban Development (HUD), the area median income (AMI) for the Nassau-Suffolk Primary MSA was \$105,100 in 2014. This figure is modified every year, and currently (2015) the figure is \$109,000. Therefore, 120 percent of current AMI is \$130,800 and 80 percent of current AMI is \$87,200. As provided by the Applicant, workforce and affordable housing units at the proposed development would be sold for \$250,000 each.

Comment G-5:

When is this project expected to start & what is the estimated duration from start to finish? Is it being built all at once or in stages? What are the days & hours of the construction operation? We do not want any Sunday construction. (C8-10)

Response G-5:

As stated in Section 2.5 of the DEIS, the proposed project is expected to commence in 2016 and be completed by 2022, for an overall construction period of approximately six years.

Furthermore, as discussed in Section 2.5 of the DEIS, it is anticipated that the proposed development would occur over four phases as described below.

- **Phase I** will consist of the construction of 75 units with a mix of residential product types. Of these 75 units there would be 21 single family homes (three and four bedroom homes); 40 flats (20 units of first floor and 20 units of second floor units); seven Rosebud units and seven traditional townhouses will be constructed. In addition, the construction of the STP and the community clubhouse will be completed during this stage. Installation of the internal road system will begin from the Horseblock Road entrance. The drainage, sewer main, water main and utilities will be installed as needed or as practical. Landscaping, street lights for this section will also be installed.
- **Phase II** will consist of the construction of 84 units and will include the construction of a mix of residential product types. Seven single family homes (mix of three or four bedroom homes); 56 flats (28 units of first floor and 28 units of second floor units); and 21 traditional



townhouses will be constructed. The associated utilities and infrastructure will also be continued to be installed into this Phase.

- ▶ **Phase III** will consist of the construction of 53 units and will be a mix of residential product types. Four single family homes, 28 flats and 21 townhouses will be constructed during this phase. In addition, during this phase, the construction of the commercial space along Horseblock Road will occur as well as, the publicly accessible open space and portions of the private open space located within the central portion of the development.
- ▶ **Phase IV** will consist of the construction of 80 units and will be a mix of residential product types. Of these 80 homes, 19 single family homes (mix of three and four bedroom homes); 40 flats (20 units of first floor and 20 units of second floor units); seven Rosebud units and 14 traditional townhouses will be constructed in this phase.

Construction would occur only during hours permitted by the Town of Brookhaven. No construction would occur between the hours of 6:00 p.m. and 7:00 a.m. the following day on weekdays or at any time on weekends or legal holidays.

Comment G-6:

Who will guarantee the dust control and the noise control? What dust control measures will be instituted? When will construction occur? (C8-11; H4-6; H8-4)

Response G-6:

In its current state, as shown in Appendix D-1 of the DEIS, the subject property is developed with a single-family residence and unoccupied commercial structures and is also utilized for vehicle staging areas (see Photograph Nos. 2 through 5 in Appendix D1). Lot No. 1 is developed with agricultural and commercial uses, including soil stockpiling areas, commercial nursery storage and former equestrian facilities, as well as vehicle staging areas, observed to be primarily personal automobiles and a commercial truck (see Photograph Nos. 6 through 16 in Appendix D1). Currently, the subject property produces dust from the soil stockpiling areas, as well as from the storage and staging areas.

As stated in Section 2.5 of the DEIS, all construction vehicles will arrive and depart via Horseblock Road. A construction entrance will be established on Horseblock Road in a location determined through consultation with the SCDPW and the Town of Brookhaven. All relevant requirements of the State, County and the Town will be followed during the course of site construction.

Site erosion control measures for demolition work are included on the *Erosion Control Plan* (included in Appendix C of the DEIS). Prior to the start of grading and clearing operations, erosion control measures will be installed, per the detail.

According to the project engineer, the following elements constitute the major work included in this project. Items may be performed simultaneously or out of sequence, as deemed necessary.

- ▶ Install all perimeter erosion control measures to ensure on-site containment of all sediments and runoff. Maintain daily.



- Install stabilized construction entrances as shown on plan.
- Control debris and dust created on the site on a daily basis, including dust associated with the demolition of existing on-site buildings and structures.
- Wash down construction vehicles prior to them leaving the construction areas to prevent materials from being tracked beyond the limits of disturbance.
- Preparation of an asbestos-containing material (ACM) survey prior to demolition of on-site buildings and structures, indicating that ACM would be properly handled in accordance with applicable regulatory requirements.
- Demolish and remove existing structures.
- Complete clearing and rough grading of the building sites, installation of drainage structures, sewer system and stormwater system, in accordance with approved plans. Stockpile topsoil in designated areas and cover as necessary to prevent exposure to erosive elements.
- Install inlet protection in accordance with the *Erosion Control Plan*. Extreme care will be taken to prevent any silt from getting into the inlets.
- Excavate foundations for proposed buildings.
- Remove all temporary erosion control measures. Install permanent vegetation to enhance erosion control.
- Complete landscaping and final lot grading.
- Finish final paving of site areas.
- Clean all drainage facilities of accumulated silt due to erosion incurred during construction.

Furthermore, as described in Section 3.11.3 of the DEIS, during redevelopment, dust control measures would be implemented during dry or windy periods. The appropriate methods of dust control would be determined by the surfaces affected (i.e., roadways or disturbed areas) and would include, as necessary, the application of water, the use of stone in construction roads, and vegetative cover. In addition, regular sweeping of pavement of adjacent roadway surfaces during construction would be conducted to minimize the potential for vehicular traffic to create airborne dust and particulate matter.

Based upon the incorporation of these measures, the impact of construction-related activities, including those associated with fugitive dust and noise, will be minimized to the maximum extent practicable. Moreover, upon completion of construction, from the perspective of dust control, the post-development conditions will be far better than the existing condition.

Comment G-7:

Come around on weekends so you can speak to most of the families or when people are home? The notice I got about tonight's hearing was delivered on 4/30, not close to ten days. And our whole neighborhood got it on the same day, on 4/30. No one knew about the postings because they're all on the dead end roads of that development. The only reason I found that out is I went for a walk one night. I was waiting for this notice, and it came on 4/30. (C8-12; H5-7)

Response G-7:

A Public Hearing regarding the rezoning of this property was held on May 7, 2015 and advertised 10 days prior to the actual date of the Public Hearing. Property owners located within a 500-foot radius were



individually notified by certified mail, as required by Section 85-85 of the Town Code. All certified return receipts (green cards) were submitted to the Town in accordance with Section 85-85A. The required signs were posted visibly every 200 feet along the entire length of each street frontage of the subject property at least 10 days prior to the date set for the public hearing before the Town Board. All required affidavits of mailings and postings were submitted to the Town Clerk at the Public Hearing, as required by the Town Code.

Comment G-8:

What is going on in that barn? (C8-15)

Response G-8:

As stated in Section 3.1.1.1, Land Use, the current commercial and equestrian facilities, including the barn, are vacant/unutilized.

Comment G-9:

I don't know why there seems to be a need to add additional housing when there are plenty of homes in the area that are on the market not being sold as well as foreclosures houses not far from the area. (C10-2)

Response G-10:

The purpose of the proposed project is to redevelop an underutilized property, the majority of which is currently vacant. The Arboretum has been designed to meet the housing needs for various demographic segments (including income levels) of the Town as identified in both Town and County planning documents, as explained in Section 3.1 of this DEIS. Of the 292 units, 10 percent (30 units overall) would be maintained as workforce housing for individuals and families earning up to 120 percent of the area median income for the Nassau-Suffolk Primary MSA as defined by HUD (see Response G-4).

Implementation of the proposed project would also enhance the tax base through redevelopment of existing uses that are generating a minimal amount in property tax revenue. The new development would enhance this area of Farmingville and is expected to add to the area's attractiveness and marketability of housing and commercial space. The mixed-use development aims to encourage uses that complement the surrounding existing uses with commercial development along Horseblock Road, and residential development adjacent to existing residential subdivisions, and would fulfill several goals/recommendations of relevant local comprehensive plans, as noted above and explained in detail in Section 3.1.2.4 of the DEIS.

For example, as discussed in Section 3.1.2.4 of the DEIS, the Brookhaven 1996 *Comprehensive Land Use Plan* sets forth goals related to multi-family housing along major roadways and the need to continue to provide a choice of housing types for an aging population desiring to remain in the community as well as affordable housing for the young. The proposed project is located on the south side of Horseblock Road (i.e., CR 16), a major east-west corridor in the hamlet of Farmingville and Town of Brookhaven, just west of the primary Farmingville commercial corridor. Constructing a mixed-use commercial and residential



development in this area (with relatively higher residential densities) would help support existing commercial and retail uses along the Horseblock Road Corridor, helping to reinforce a “sense of place” within the hamlet of Farmingville. As previously discussed, 10 percent of the proposed residential uses would be affordable, providing housing for a variety of age and income levels.

Comment G-11:

These schools already are pushing the limit on class sizes as my daughters have between 25-30 children in their classes which are severely overcrowded and difficult for the teachers to attend to all of the children’s needs. (C12-1; C14-2)

Response G-11:

As stated in Section 3.3.1.4 of the DEIS, according to data provided by the New York State Education Department ([www.nysed.gov](http://www.nysed.gov)), student enrollment within the Sachem CSD has steadily declined from 15,623 (the peak in 2005-06) by 1,701 students to 13,922, a decrease of approximately 10.9 percent through the current school year. Therefore, based on the declining student enrollment within the Sachem CSD over the last decade, the projected addition of 77± school-aged children, across all grades, resulting from the proposed development would not adversely impact capacity within this district.

Moreover, as discussed in Section 3.12.2.1, *Economic Conditions* of this DEIS, implementation of the proposed action is projected to generate approximately 77 public school-aged children. Based on the 2014-2015 estimated cost per student of \$21,026, the proposed action’s total impact to the Sachem CSD is projected to be \$1,619,002, annually. As identified in Section 3.12.2.3 of the DEIS, the total tax revenues projected to be provided to the Sachem CSD are \$1,888,501, annually. Therefore, implementation of the proposed action is expected to have an annual net positive impact of \$269,499, based upon current tax rates and assessments.

Comment G-12:

Crime would definitely increase. I’m not here to say that we’re against all development. But it’s got to be safe, and it can’t affect in an adverse fashion the lives of the people that have been there for a long time. (C13-5; H2-2)

Response G-12:

The commentator provides no specific evidence that crime would increase due to the implementation of the proposed action. However, as discussed within Section 1.7.3, under *Police Protection*, correspondence from SCPD – 6<sup>th</sup> Precinct indicated that the “SCPD will adapt as necessary to protect and serve the ever changing needs of the community.”

In addition, the proposed project would contribute approximately \$349,478± in tax revenues to the SCPD, annually, which could be used to off-set any potential increased costs associated with police protection.



Comment G-13:

As a veteran Sachem teacher, I can assure you that no schools are going to plan a field trip to our renovated schoolhouse, even though I'm glad to see that it has been restored. (C22-8)

Response G-13:

The renovation of the Bald Hill School House is not part of the proposed action.

Comment G-1 4:

The property I question was a family farm for many years before the inception of the Environmental Protection Agency. During that time, chemicals such as DEET and other hazardous pesticides and fertilizers were used. Has anyone looked into the ramifications of building on this site considering its history? (C22-9)

Response G-14:

Section 1.7.2, *Subsurface Soils*, of the DEIS discusses the examination of the historical agricultural uses at the subject property. Sampling was performed to determine if there had been contamination of on-site soils. Apex, LLC's (Apex) *Limited Phase II Environmental Site Assessment* (Phase II ESA) report included soil sampling and analysis and concluded that arsenic concentrations were detected in soils on-site at concentrations exceeding Suffolk County Department of Health Services (SCDHS) guidance thresholds and New York State Department of Environmental Conservation (NYSDEC) Unrestricted Soil Cleanup Objectives (SCOs). Petroleum-related semi-volatile organic compounds (SVOCs) were detected in exceedance of their respective NYSDEC SCOs.

Without the proposed redevelopment of the site, existing operations that include the import and export of soil would likely continue, and as such, the identified soil impairments would not be addressed. Based upon the current site operations, there is also a potential for additional impaired soils to be imported onto the site as part of routine operations.

However, since the proposed project involves site redevelopment, the soil conditions will be addressed through implementation of soil management plan to be approved by the Town of Brookhaven. The SMP may include one or more of the following soil management techniques to address the identified heavy metals/pesticide impacts:

- Removal of heavy metals/pesticide-impacted soils in areas that were identified in the September 3, 2014 Phase II ESA, and as required by the Town of Brookhaven.
- Collection and analysis of endpoint soil samples to confirm post-removal soil conditions.
- Excavation of trenches within "clean" areas of the subject property, which do not contain any fill materials and use of the excavated native soil as a backfill for the excavations associated with heavy metals/pesticide-impacted soil excavations.



- Placement of the excavated heavy metals/pesticide-impacted soils into the “clean” area trenches, and/or beneath other impermeable features (i.e., building envelopes, roadways, etc.) and/or perimeter berms.

Comment G-15:

About the wildlife that lives back there. I mean – behind my house I have three red foxes that live on that property. They’ve been there for years. You have red-tailed hawks that are constantly in that area (H4-4)

Response G-15:

Existing ecological conditions at the subject property were assessed through a review of federal and New York State Department of Environmental Conservation (NYSDEC) maps and records, and a field inspection of the site. Results of the ecological conditions are presented in Section 3.6 of the DEIS. As discussed in Section 3.6.2.3 of the DEIS, there are no New York State or federally-listed endangered, threatened or special concern plants or wildlife, or significant natural communities. Moreover, the elimination of the Successional Old Field community from the site would restrict or eliminate the potential for certain observed or expected wildlife species that are somewhat less tolerant of human presence and developed habitats (e.g., red fox). However, it is expected that these species would persist within successional and woodland habitat areas located adjacent to and in the general surrounding area of the subject property. Moreover, as many of the birds and mammals observed or expected within the Successional Old Field community are also frequently found in suburban habitats (e.g., northern mockingbird, northern cardinal, chipping sparrow, eastern gray squirrel, eastern cottontail, mice, moles, voles etc.), it is anticipated that most of these species would persist at the subject property following redevelopment.

Red-tail hawks are not New York State or federally-listed endangered, threatened or special concern wildlife. Although not specifically observed, the red-tailed hawks presumed to be on the property, as well as some of the other species may relocate to other areas. However, based upon the ecological analysis, no significant adverse impacts to local wildlife populations are anticipated, and it is expected that overall wildlife species diversity would increase as a result of the proposed action. Moreover, the proposed development would provide approximately 45 acres or 60 percent of vegetated areas suitable for wildlife habitats.

Comment G-16:

If this petition passes, the quietness will cease to exist. There will be constant construction and after the construction is over there will be roughly 600 cars more than there already is passing up and down my Block [Hanrahan Avenue] at all hours of the day and night, therefore disturbing my peaceful home environment. (C13-2)



Response G-16:

Section 4.0 of the DEIS discussed the *Unavoidable Adverse Effects* of the proposed project. Although, there would be several temporary (short-term) construction-related impacts that cannot be completely mitigated, these impacts are associated with site preparation and development (including grading, excavation, installation of utilities, and construction of buildings and parking facilities). It is anticipated that these impacts would cease upon completion of the construction phase of the project. As described in greater detail under Response G-5, although increases in noise levels at the site boundaries may result from construction activities; construction would occur only during hours permitted by the Town of Brookhaven. Moreover, as explained under Response TSA-12, based on the trip distribution outlined in the Traffic Impact and Parking Analysis (see Appendix G of the DEIS), 90 percent of the site traffic will utilize the primary site access along Horseblock Road and are not expected to use Hanrahan Avenue. According to the site generated trip projections outlined in the aforementioned analysis, there would be fewer than three additional vehicles every two minutes distributed to Hanrahan Avenue during the peak periods as a result of the proposed action. During non-peak times, there would be significantly less traffic distributed to Hanrahan Avenue.

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